

N.D.A.G. Letter to Slorby (Feb. 27, 1985)

February 27, 1985

Tom Slorby
State's Attorney
County of Ward
Minot, ND 58701

Dear Mr. Slorby:

Thank you for your letter dated February 20, 1985 in regard to N.D.C.C. 24-05-04.

You indicated in your letter that Ward County wishes to purchase road machinery for \$35,000.00. You indicated that the County would be trading in other road machinery and would receive \$25,000.00 trade in value thus paying \$10,000.00 cash for the purchase of this particular road machinery.

This office agrees with your opinion that N.D.C.C. 24-05-04 requires that such purchase be made upon competitive bids. N.D.C.C. 24-05-04 states, in part, as follows:

"All purchases of county road machinery and all rental contracts or agreements for the use of road machinery and other articles or contracts for the improvement of the highways, except, necessary repairs for such road machinery, which shall exceed the sum of ten thousand dollars, shall be advertised in the manner provided by law for the purchase of county supplies."

It is apparent that the road machinery the County wishes to purchase exceeds the sum of ten thousand dollars; therefore, it must be advertised. It is possible that they may be able to receive a higher trade in value than what is currently offered by a particular dealer. Since the purchase price is over ten thousand dollars the purchase must be made upon competitive bids.

Sincerely,

Nicholas J. Spaeth

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